

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALEX BLAXTON,
Plaintiff,
v.
STATE OF NEVADA, et al.,
Defendants.

Case No.: 2:23-cv-02145-RFB-BNW

ORDER
(ECF No. 4)

On January 11, 2024, the Court denied Plaintiff's application to proceed *in forma pauperis* as incomplete and directed Plaintiff to file a new fully complete application to proceed *in forma pauperis* or pay the \$402 filing fee. (ECF No. 3). In response, Plaintiff filed another incomplete application to proceed *in forma pauperis* (ECF No. 4). Plaintiff has not submitted a financial certificate or a copy of his prison trust fund account statement for the previous six-month period.

I. DISCUSSION

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*

1 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means
2 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

3 As explained above, Plaintiff's application to proceed *in forma pauperis* is
4 incomplete. The Court will therefore deny Plaintiff's application to proceed *in forma*
5 *pauperis* without prejudice and grant Plaintiff an extension until April 15, 2024, to file a
6 complete application to proceed *in forma pauperis* or pay the \$405 filing fee.

7 **II. CONCLUSION**

8 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 4)
9 is denied without prejudice.

10 It is further ordered that Plaintiff has **until April 15, 2024**, to either pay the full \$405
11 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three
12 required documents: (1) a completed application with the inmate's two signatures on page
13 3, (2) a completed financial certificate that is signed both by the inmate and the prison or
14 jail official, and (3) a copy of the inmate's trust fund account statement for the previous
15 six-month period.

16 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
17 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
18 to refile the case with the Court, under a new case number, when Plaintiff can file a
19 complete application to proceed *in forma pauperis* or pay the required filing fee.

20 DATED THIS 13 day of March 2024.

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24 UNITED STATES MAGISTRATE JUDGE
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